

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO, et al., §
Plaintiffs, §

v. §

GREGORY ABBOTT, et al. §
Defendants. §

5:21-CV-0844-XR
(Consolidated Cases)

**DEFENDANT TRAVIS COUNTY DISTRICT ATTORNEY JOSÉ GARZA’S
UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER TO
PLAINTIFFS’ LA UNIÓN DEL PUEBLO ENTERO, FRIENDSHIPWEST BAPTIST
CHURCH, THE ANTI- DEFAMATION LEAGUE AUSTIN, SOUTHWEST, AND
TEXOMA REGIONS, SOUTHWEST VOTER REGISTRATION EDUCATION
PROJECT, TEXAS IMPACT, MEXICAN AMERICAN BAR ASSOCIATION OF
TEXAS, TEXAS HISPANICS ORGANIZED FOR POLITICAL EDUCATION, JOLT
ACTION, WILLIAM C. VELASQUEZ INSTITUTE, FIEL HOUSTON, INC., AND
JAMES LEWIN’S SECOND AMENDED COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF [ECF NO. 208]**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant Travis County District Attorney José Garza (“District Attorney Garza”) and files this Unopposed Motion for Extension of Time to File Response to LUPE Plaintiffs’ Second Amended Complaint (ECF No. 208) and in support thereof state as follows:

I.

LUPE Plaintiffs filed their Second Amended Complaint for Declaratory and Injunctive Relief on January 25, 2022 (ECF No. 208). District Attorney Garza was served with the Second Amended Complaint on February 8, 2022. District Attorney Garza completed a Waiver of Service [ECF No. 236], pursuant to which, by agreement, the current deadline for his response to the Second Amended Complaint is February 25, 2022.

District Attorney Garza respectfully requests that the Court grant a five (5) business-day extension of time to file his Response to LUPE Plaintiffs' Second Amended Complaint. District Attorney Garza does not seek this motion for delay, but for good cause. This motion will not prejudice Plaintiffs as they do not oppose the relief requested. This extension is necessary to permit District Attorney Garza and his counsel sufficient time to further explore the appropriate responsive pleading to be filed on behalf of District Attorney Garza at this time. The extension of time is warranted in the interest of justice, and to conserve the resources of the parties.

Pursuant to Local Rule CV-7(i), counsel for District Attorney Garza has conferred with Plaintiffs' counsel regarding the relief requested in the Motion. Plaintiffs do not oppose this extension.

II. CONCLUSION

For the foregoing reasons, the Court should grant District Attorney Garza's unopposed motion for extension of time for his Response, up to and including March 4, 2022.

Respectfully submitted,
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**ATTORNEYS FOR DEFENDANT
JOSÉ GARZA, IN HIS OFFICIAL CAPACITY
AS TRAVIS COUNTY DISTRICT ATTORNEY**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this motion was served through the Court's CM/ECF Document Filing System upon each attorney of record and the original upon the Clerk of Court on this the 25th day of February, 2022.

/s/ Anthony J. Nelson
ANTHONY J. NELSON
Assistant County Attorneys

CERTIFICATE OF CONFERENCE

I certify that on February 25, 2022, counsel for Travis County District Attorney José Garza conferred with Plaintiffs' counsel, regarding the filing of Travis County District Attorney José Garza's Unopposed Motion for Extension of Time to File Response to Plaintiffs' Complaint. Counsel for Plaintiffs indicated she is UNOPPOSED to this motion.

/s/ Anthony J. Nelson
ANTHONY J. NELSON
Assistant County Attorney